

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LUIGI WARREN,

Plaintiff,

vs.

THE CHILDREN'S HOSPITAL
CORPORATION,

Defendant

Civ. A. No. 17-12472-DLC

DEFENDANT'S ASSENTED-TO MOTION TO IMPOUND

The defendant, The Children's Hospital Corporation ("the Hospital"), moves, pursuant to Local Rule 7.2, for leave to file certain materials under seal. In connection with its motion for summary judgment, the Hospital intends to file a copy of the license agreement between its predecessor-in-interest, the Immune Disease Institute, Inc., and Moderna Therapeutics, Inc., and to discuss the substance of the license agreement in the memorandum in support of its motion. As the Court knows from prior motion practice, the Hospital has contractual obligations of confidentiality to Moderna, which is not a party to this action, and the terms of the license agreement are commercially sensitive. If this motion is granted, the Hospital will file the license agreement and an unredacted copy of its memorandum of law and statement of undisputed material facts under seal and will file redacted versions of the memorandum of law and the statement of undisputed material facts on the public docket.

Pursuant to L.R. 7.2(a), the Hospital suggests that all impounded materials should be returned to the Hospital's counsel six months after the conclusion of this action, including all appeals.

Dr. Warren has assented to this motion.

Respectfully submitted,

THE CHILDREN'S HOSPITAL
CORPORATION

By its attorneys:

/s/ Theodore J. Folkman

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Dated: February 11, 2019

CERTIFICATE OF SERVICE

I, Theodore J. Folkman, hereby certify that on February 11, 2019, I caused a true and correct copy of the foregoing to be filed via the Court's electronic filing system, which constitutes service upon all parties of record.

/s/ Theodore J. Folkman
Theodore J. Folkman